

**Bountiful City**  
**Administrative Committee Minutes**  
**October 29, 2012**  
**5:00 P.M.**

Present: Chairman – Aric Jensen; Committee Members - John Marc Knight and Lloyd Cheney;  
Assistant Planner – Scott Holtry, and Recording Secretary - Darlene Baetz

Excused: Assistant Planner – Julie Anderson

1. Chairman Jensen opened the meeting at 5:01 pm and all present introduced themselves.
2. Consider approval of minutes for October 15, 2012.

Mr. Knight made a motion to approve the minutes for October 15, 2012 as written. Mr. Cheney seconded the motion. Voting was 3-0 in favor.

3. **PUBLIC HEARING** - Consider a Conditional Use Permit to allow for a Commercial Pawn Shop business at 135 S. 500 W., Dee Whittington, applicant.

Mr. Dee Whittington, owner and Mr. Scott Petersen, manager were present. Scott Holtry presented the staff report.

Section 14-6-103 of the Land Use Ordinance allows second-hand dealers of merchandise (pawnbroker) in the C-H zone as a conditional use.

The hours of operation could play an important role with safety on this type of use being on a deep lot with lower visibility towards the back. Applicants proposed that their hours of operation will be from 8:00 a.m. to 6:00 p.m., closed Sundays. Applicants have installed motion detectors and alarms, and will be installing 4 cameras for security. Record keeping will be kept on a computer system with updated software.

Based on the findings, staff finds that the applicant complies with zoning requirements and recommends the conditional use permit be approved, with the following conditions:

1. The applicant shall keep a current Bountiful City pawn broker business license. (§5-2-102)
2. The applicant shall be registered with the State of Utah Department of Commerce as a licensed pawnbroker.
3. The applicant shall conform to applicable State law (Utah Code §13-32a-101).
4. The applicant shall demonstrate record keeping as set forth in §5-2-103 of the City Code.
5. Reasonable hours of operation are set and maintained.
6. No outdoor display of merchandise as set forth in §14-6-112,B,1-2.
7. This Conditional Use Permit is just for this applicant at this site and is not transferable.

Chairman Jensen opened and closed the Public Hearing without any comments.

Mr. Petersen reported a change in operating hours. The new hours will be M-F 9:00 a.m. to 6:00 p.m., Sat 10:00 a.m. to 5:00 p.m., closed on Sunday. Staff and Committee discussed that this business will not be used for car loans or check cashing services. Applicant discussed the vault, security systems, and the items that will be stored in the vault. Staff and Committee discussed the allowable signage for the business.

Mr. Cheney made a motion to approve the Conditional Use Permit to allow for a Commercial Pawn Shop business at 107 S. 500 W., Dee Whittington, applicant, as recommended by staff, noting the new hours of operation, M-F 9:00 a.m. to 6:00 p.m., Sat 10:00 a.m. to 5:00 p.m., closed on Sunday. Mr. Knight seconded the motion. Voting passed 3-0 in favor.

4. **PUBLIC HEARING** - Consider a Conditional Use Permit to allow for an Accessory Dwelling Unit at 935 E. 1150 N., Jean Kuhn, applicant.

Ms. Jean Kuhn and Ms. Linnea Stevens were present. Mr. Holtry presented the staff report.

The applicant's home is in a Residential Single-Family R-4 zone. They would like to build an accessory dwelling on top of the existing garage to be used by the property owner's mother. In the plans submitted the accessory dwelling will include a full kitchen, a full bath, and a living space.

According to plans submitted the accessory dwelling will include 3 doors and 7 windows. The maximum height of the structure including the garage will be 23'. Due to surrounding vegetation, the structure will only be visible by one adjacent neighbor on the South side of the property.

Based on the findings, staff recommends approval for the accessory dwelling unit, with the following conditions to mitigate the anticipated detrimental effects of the proposed use.

1. The principal owner(s) of the property must occupy the primary structure.
2. No occupancy of the ADU shall occur until after passing final inspection of ADU.
3. Property to be used as a single-family use and shall be subject to a deed restriction.
4. The ADU shall meet all the criteria in 14-14-124 of the City Ordinance.
5. The permit is non-transferable.

Chairman Jensen opened and closed the Public Hearing without any comments.

Staff clarified the need for a deed restriction for the second kitchen and that the permit is non-transferable.

Mr. Cheney made a motion to approve the Conditional Use Permit to allow for an Accessory Dwelling Unit at 935 E. 1150 N., Jean Kuhn, applicant, as recommended by staff with the additional condition that a Building Permit be obtained. Mr. Knight seconded the motion noting that the second kitchen unit cannot be advertised as a rental unit upon selling the property. Voting passed 3-0 in favor.

5. **PUBLIC HEARING** - Consider the expansion of a non-conforming structure at 146 East 200 North, Troy Hendricks, applicant.

The property is located in the R-4 Single Family residential zone. The current accessory structure is a non-conforming structure because it was built within the current required side yard setback. The property owner would like to expand the structure 4 feet higher than the existing structure and 10 feet back on the South side of the existing structure.

1. There is an existing covered porch where the 10 foot expansion on the south will take place.
2. According to the aerial picture there are no other surrounding structures that would interfere with the expansion to the south.
3. Two windows will be placed on the North side of the 4 foot expansion for aesthetics.
4. The two North facing garage doors will be converted into one door.
5. All other doors and entries will remain the same.

Staff finds that the proposed expansion to the non-conforming structure meets conditional use requirements. Staff recommends approval with the following conditions:

1. The structure shall meet all applicable provisions of the International Building Code.
2. A building permit is obtained.

Chairman Jensen opened and closed the Public Hearing without any comments.

Mr. Knight made a motion to consider the expansion of a non-conforming structure at 146 E. 200 N., Troy Hendricks, applicant, as recommended by staff. Mr. Cheney seconded the motion. Voting passed 3-0 in favor.

5. Chairman Jensen ascertained there were no other items to discuss. Mr. Knight made a motion to adjourn the meeting. Mr. Cheney seconded the motion. The meeting was adjourned at 5:29 pm.